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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,556	11/30/2000	Matthias Breuer	P-4583	4954

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EXAMINER
CHUONG, TRUC T

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 October 2004</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-22* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-22* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail. Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to Amendment, filed 10/08/04.

2.   Claims 1-22 are pending in this application. Claims 1, 11, 15, and 22 are independent

claims. This action is made non-final.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.   Claims 8-14, and 15-21 are directed to non-statutory subject matter.

In claim 8, a graphical user interface comprising the non-statutory for at least one reason

that it is not tangibly embodied in a manner so as to be executable. Further, a collection of fields,

per se, is non-statutory. Claims 9-14 are also rejected because of their dependency.

In claims 15, a computer program product for defining the "medium" is non-statutory

because the medium intangible media such as signals transmitted over the Network

(Specification, page 14 line 13). Claims 16-21 are also rejected because of their dependency.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sotomayor et

al. (U.S. Patent No. 5,963,205).

As to claim 1, Sotomayor teaches a computer-based method of interactively generating

an index page comprising:

        displaying a window including a list of index page types (Page Selection,

elements 101-107, e.g., col. 10 lines 24-34, and fig. 7);

        displaying a list of index line types for one index page type upon selection of said

one index page type in said list of index page types (levels, e.g., col. 10 lines 35-37, and

fig. 7); although, Sotomayor does not shows two separate windows for displaying the

index page types and the index line types, it is well known and would have been obvious

to separate into one or more tables to fit a particular set up of the display screen;

        displaying a token string including a plurality of tokens for one index line type,

upon selection of one index line type in said list of index line types (links and radio

buttons, elements 109, 124, 126, 128 and 130, e.g., fig. 7), wherein said plurality of

tokens includes only tokens appropriate for said one index line type (The user may also

select (if only by default) a segment size at spinner 124, and may select other options by

clicking at custom button 128, e.g., col. 10 lines 48-53); and

        displaying, for at least one token in said plurality of tokens, user selectable

attributes for data associated with said at least one token (e.g., col. 10 lines 24-60 and fig.

7); although, Sotomayor shows the table of content, abstract view (e.g., fig. 7), table of

contents 80 and abstract summary page 60 which could content the description of the data

in short version (e.g., col. 11 line 65-col. 12 line 15), Sotomayor does not clearly show a

list of index page types wherein the index page types includes at least a table of contents

and a bibliography. It would have been obvious to have the table of contents and the

bibliography on the display to provide more information on one location to ease the users

when searching or organizing data.

As to claim 2, Sotomayor teaches the method of Claim 1, wherein index line types in said

list of index line types represent different levels in a hierarchical order within the index page

(levels, e.g., col. 10 lines 35-37, and fig. 7).

As to claim 3, Sotomayor teaches the method of Claim 2, wherein the list of index page

types includes a table of contents (e.g., fig. 7).

As to claim 4, Sotomayor teaches the method of Claim 1, wherein the list of index page

types includes a table of contents (e.g., fig. 7).

As to claim 5, Sotomayor teaches the method of claim 1, wherein the list of index page

types includes a bibliographic index (e.g., col. 11 line 65-col. 12 line 15, and fig. 7).

As to claim 6, Sotomayor teaches the method of claim 5, wherein index line types in said

list of index line types represent different sources of bibliographic information (e.g., col. 11 line

65-col. 12 line 15, and fig. 7).

As to claim 7, Sotomayor teaches the method of Claim 1, wherein the at least one token

is a tabulator token and said user selectable attributes include tabulator positions (These tokens

mark the source anchor of a hyperlink, where it will be placed on the page and what form it will

take, whether it will be an icon or a text string, e.g., col. 22 line 66-col. 23 line 2).

As to claim 8, Sotomayor teaches a computer-based graphic user interface comprising:

an insert index page dialogue window comprising (anchor page, e.g., fig. 7):

an index page type window wherein said index page type window includes a list

of index page types wherein said index page types include at least a table of contents and

a bibliography; and said index page type window displays at least one index page type in

said index list of index page types (note the rejection of claim 1 above);

an index page title window coupled to said index page title window displays a

title for said at least one index page type (source <u>anchors</u> containing a document

reference name and a hyperlink to that document so that clicking on the hot area causes

the specified document to be downloaded over the network and displayed for the viewer,

e.g., col. 4 lines 1-32, and figs. 6A-C & 7);

an index line type window coupled to said at least one index page type window

wherein said index line type window includes a list of index line types for said at least

one index page type (e.g., fig. 7 and note the rejection of claim 1 above); and

a token string coupled to said at least one index line type window wherein said

token string includes a plurality of tokens and further wherein each token comprises an

element in an index line type selected in said index line type window (note the rejection

of claim 1 above).

As to claims 9-11, these are product claims of method claims 2-4. Note the rejections of

claims 2-4 above respectively.

As to claim 14, Sotomayor teaches the graphic user interface of claim 8, wherein at least

one token in said plurality of tokens is tabulator token and user selectable attributes include

tabulator positions (These tokens mark the source anchor of a hyperlink, where it will be placed

on the page and what form it will take, whether it will be an icon or a text string, e.g., col. 22 line

66-col. 23 line 2).

As to claims 15-18, these are program product claims of method claims 1-4. Note the

rejections of claims 1-4 above respectively.

As to claim 21, this is a program product claim of method claim 7. Note the rejection of

claim 7 above.

As to claim 22, this is a system claim of method claim 1. Note the rejection of claim 1

above.

As to claims 12 and 13, these are product claims of method claims 5 and 6. Note the

rejections of claims 5 and 6 above respectively.

As to claims 19 and 20, these are program product claims of method claims 5 and 6. Note

the rejections of claims 5 and 6 above respectively.

Response to Arguments

Applicant's arguments, filed 10/08/04, with respect to the rejection(s)of claim(s) 1-22

under 103 have been fully considered and are persuasive. Therefore, the rejection has been

withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view

of Sotomayor.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Rivette et al. (U.S. Patent No. 5,991,780) teach generating table of contents and bibliography (cols. 3-46 and figs. 14-54).
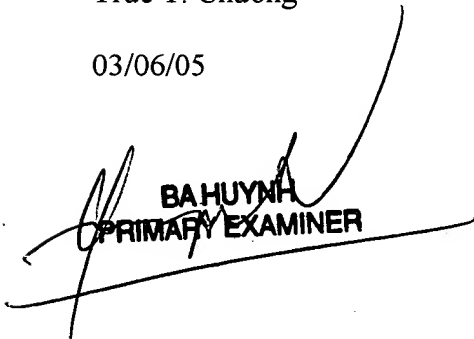
8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

03/06/05

BA HUYNH
PRIMARY EXAMINER